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REMARKS/ARGUMENTS

Claims 1-28 are pending in the current application. Claims 1-4, 6 and 11-26 are rejected and claims 5, 7-10, 27 and 28 are objected to. By this Response, claims 16 and 20 are canceled and claims 5, 7, 9, 22 and 27 are amended.

35 U.S.C. §112

Claims 16 and 20 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Claims 16 and 20 have been canceled.

35 U.S.C. §102

Claims 1-4, 11, 12 and 15-26 were rejected under 35 U.S.C. §102(e) as being anticipated by *Krüger* et al. (U.S. 6,712,544). The Applicants respectfully submit that these claims are allowable over *Krüger*.

As described in *Krüger*, the body member 7 expands radially as the expander member is advanced upwardly, exerting a compressive force on the gripping surface 27. The outer surface of the body member 7 has fluting 16 "to increase the frictional contact" between the outer surface and the gripping surface 27. By increasing frictional contact between the two surfaces, a compressive contact between the two surfaces is less likely to cause the two surfaces to linearly shift relative to each other. *Krüger* thus teaches away from the claimed invention by teaching that the outer surface of the body member 7 and the gripping surface 27 are configured and positionable relative to each other to *reduce* any linear shifting relative to each other. In contrast, claim 1 specifically recites that the body member outer surface and the gripping surface are "configured and positionable relative to each other to form a compressive contact with each other to linearly shift relative to each other under the compressive contact."

Furthermore, *Krüger* lacks any structure or configuration that would cause the body member outer surface and the gripping surface 27 to linearly shift relative to each other

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under compressive contact in spite of the increased frictional contact between the two. Specifically, the gripping surface 27 appears to be smooth. *See* Figs. 1 and 2. Indeed, while *Krüger* specifically mentions that the outer surface of the body member 7 has fluting 16, *Krüger* conspicuously fails to teach any corresponding structure on the gripping surface 27. Thus, upon compressive contact between the outer surface of the body member 7 and the gripping surface 27, the body member 7 merely expands radially, compressing the fluting 16 against the gripping surface 27, without shifting linearly.

In contrast, the body member outer surface and the gripping surface of claim 1 are configured and positionable relative to one another such that merely compressing the outer surface of the body member against the gripping surface linearly shifts the body member relative to the clamping surface, increasing compression of the clamping surface against the object. *Krüger* lacks any structure, such as the ramped surfaces shown in Figure 9 of the present application, that would translate radial expansion of the body member 7 into linear shifting relative to the gripping surface 27 so as to increase compression between the clamping surface A and the component 3. In fact, *Krüger* teaches away from the claimed invention by using a screw 15 to pull the components 2 and 3 toward each other. All of the compressive force the clamping surface A exerts against the component 3 results from advancing along the bolt 15 as the bolt 15 is torqued. For at least these reasons, Claim 1 is not anticipated by *Krüger*. Applicants respectfully request that the rejection of claim 1 and dependent claims 2-4, 11, 12, 15, 17-19 and 21 be reconsidered and withdrawn.

With respect to claim 22, for at least the same reasons as discussed above, *Krüger* is missing the feature wherein “the outer surface of the expandable portion of the body member and the gripping surface are configured to cooperate to push the body member along the longitudinal axis relative to the gripping surface, thereby compressively engaging the clamping end with the object to be fastened, as the expandable portion of the body member radially expands.” Furthermore, *Krüger* does not provide any motivation to modify the devices disclosed therein to achieve the claimed invention. In fact, *Krüger* teaches away from the claimed invention by using a bolt 15 to pull the components 2 and 3 toward each other, and also by providing fluting 16 to increase frictional contact between the outer

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surface of the body member and the gripping surface. Claim 22 is therefore not anticipated by *Krüger*. Applicants respectfully request that the rejection of claim 22 and dependent claims 23-26 be reconsidered and withdrawn

35 U.S.C. §103

The Examiner further rejected claims 6, 13 and 14 under 35 U.S.C. § 103(a) as being unpatentable over *Krüger*. The Applicants respectfully submit that these claims are allowable over *Krüger*. Each of claims 6, 13 and 14 is ultimately dependent on claim 1, and Applicants respectfully submit that claim 1 is not obvious in light of *Krüger*. As discussed above, *Krüger* is missing the feature of the “body member outer surface and said gripping surface are configured and positionable relative to each other to form a compressive contact with each other to linearly shift relative to each other by under the compressive contact ... when said body member is circumferentially expanded from an unloaded state.” Furthermore, *Krüger* does not provide any motivation to modify the devices disclosed therein to achieve the claimed invention. In fact, *Krüger* teaches away from the claimed invention by using a screw 15 to pull the components 2 and 3 toward each other. For at least these reasons, Claim 1, as well as dependent claims 6, 13 and 14, are not obvious over *Krüger*. Applicants respectfully request that the rejection of claims 6, 13 and 14 be reconsidered and withdrawn.

Objections

Claims 5, 7-10, 27 and 28 were objected to as being dependent upon a rejected base claim, but were noted to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 5, 7, 9 and 27 have been rewritten in independent form as advised. Withdrawal of the objection and allowance of the claims is respectfully requested.

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CONCLUSION

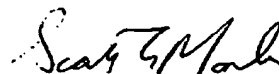
All of the claims remaining in this application should now be seen to be in condition for allowance. The prompt issuance of a notice to that effect is respectfully solicited. If there are any remaining questions, the Examiner is requested to contact the undersigned at the number listed below.

The Commissioner is requested and authorized to charge \$600 for the fees for three independent claims not previously paid to the Faegre & Benson Deposit Account No. 06-0029. The Commissioner is also authorized to charge any additional fees that may be required for the entry of this paper to the Faegre & Benson Deposit Account No. 06-0029 and in such event, is requested to notify us of the same.

Respectfully Submitted,

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